



JANUARY 2013

COUNTRY SUMMARY

INDONESIA

Competitive, credible, and fair local elections in Jakarta and the province of West Kalimantan in 2012 underscored the ongoing transition from decades of authoritarian rule in Indonesia.

The government's willingness to accept numerous recommendations from United Nations member states during the UN's Universal Periodic Review (UPR) of Indonesia's human rights record was another hopeful sign of a growing commitment to respecting human rights.

However, Indonesia remains beset by serious human rights problems. Violence and discrimination against religious minorities, particularly Ahmadiyah, Bahai, Christians, and Shia deepened. Lack of accountability for abuses by police and military forces continues to affect the lives of residents in Papua and West Papua provinces.

Freedom of Expression

Indonesia's vibrant media routinely reports on crucial social and political issues including corruption, environmental destruction, and violence against religious minorities. But a rising climate of religious intolerance and an infrastructure of discriminatory national and local laws deny freedom of expression to Indonesia's religious minorities.

In May, the Indonesian government dismissed recommendations during its UPR to release more than 100 political prisoners, the majority in the Moluccas Islands and Papua. These activists are serving sentences of up to 20 years for acts of peaceful protest including staging protest dances or raising separatist flags. In January, the government refused to accept the UN Working Group on Arbitrary Detention's **determination, issued in September 2011, that Papuan independence activist Filep Karma is a political prisoner.** The working group called on Indonesia to immediately and unconditionally release Karma.

Indonesian police and government authorities failed to adequately protect artists, writers, and media companies targeted with threats and protests by militant Islamist groups. In May, neither police nor government officials intervened to prevent Islamist groups from

disrupting the book tour of Canadian-Muslim writer Irshad Manji in the capital, Jakarta, and Yogyakarta. In June, Jakarta police bowed to pressure from the militant Islamic Defenders Front organization protesting the planned concert of US pop star Lady Gaga and revoked the permit to the concert organizers, prompting its cancellation.

Military Reform and Impunity

Impunity for members of Indonesia's security forces remained a serious concern, with the military courts having a poor prosecution record and no civilian jurisdiction over soldiers who commit serious rights abuses. On June 6, over 300 soldiers from the 756th Battalion rampaged in the Papuan village of Wamena as a reprisal for an incident in which villagers beat to death two soldiers involved in a fatal traffic accident. Soldiers randomly fired their weapons into shopping areas, burned down 87 houses, stabbed 13 villagers, and killed a native Papuan civil servant.

Although military officials on June 12 apologized for the incident and promised compensation, victims said military investigators failed to question them about the incident. They said rather than paying any compensation, the military has limited its response to the **violence to a traditional Papuan "stone-burning" ceremony and declared the case closed.**

Freedom of Religion

In 2012, incidents of violence against religious minorities were frequent and occasionally deadly. Islamist militants mobilized mobs to attack religious minorities with impunity. Light prison terms imposed on those prosecuted sent a message of official tolerance for such mob violence. Dozens of regulations, including ministerial decrees on building houses of worship, continue to foster discrimination and intolerance.

Throughout 2012, dozens of minority Christian congregations, including GKI Yasmin church in Bogor and HKBP Filadelfia church in the Jakarta suburb of Bekasi, reported that local government officials arbitrarily refused to issue them permits required under a 2006 decree on building houses of worship. Both churches had already won Supreme Court decisions to build such structures. Senior government officials, including Religious Affairs Minister Suryadharma Ali and Home Affairs Minister Gamawan Fauzi, continued to justify

restrictions on religious freedom in the name of public order. They both offered affected minorities **“relocation”** rather than legal protection of their rights.

Suryadharma Ali has himself inflamed tensions by making highly discriminatory remarks about the Ahmadiyah and Shia, suggesting that both are heretical. In September 2012, he **stated that the “solution” to religious intolerance of Shia and Ahmadiyah was their conversion to the Sunni Islam that most Indonesians follow.** That same month, President Susilo Bambang Yudhoyono called for the development of an international instrument to **prosecute “religious blasphemy,” which could be used to restrict free expression and the religious freedom of minorities.**

According to Indonesia’s Setara Institute, which monitors religious freedom, religious attacks increased from 216 in 2010 to 244 in 2011. In the first nine months of 2012 there were 214 cases.

On December 29, 2011, Sunni militants attacked a Shia village in Sampang regency, Madura Island, burning houses and the madrasa, causing around 500 Shia residents to flee. Police arrested and charged only one of the militants for the arson attack. On August 26, at the end of the holiday following the end of Ramadan, hundreds of Sunni militants again attacked the same Shia village and burned down around 50 Shia houses, killing one man and seriously injuring another. Several police officers at the scene failed to intervene to stop the attack.

In March, a court in Central Java sentenced Andreas Guntur, the leader of the spiritual group Amanat Keagungan Ilahi, to four years’ **imprisonment on charges of blasphemy** on the basis of allegedly improper teachings of certain verses of the Quran.

In June, a West Sumatra court sentenced Alexander An, an administrator **of the “Minang Atheist” Facebook group, to 30 months in prison and a fine of 100 million rupiah (US\$11,000) for “inciting public unrest” via Facebook postings espousing atheism.**

In July, an East Java district court sentenced Shia cleric Tajul Muluk to two years’ imprisonment for blasphemy against Islam. The East Java high court later increased his sentence to four years and two months for causing “riots” in August.

In November, Acehese villagers attacked a Muslim sect in Bireuen, Aceh, targeting the house of Muslim teacher Tengku Aiyub Syakuban. Mainstream Muslim clerics accused Syakuban of disseminating “heretical teachings.” Hundreds of villagers burned and killed Syakuban and his student Muntasir. One attacker, Mansyur, also died in the melee.

Papua/West Papua

In March, a Jayapura court convicted five men—Selpius Bobii, a social media activist; August Sananay Kraar, a civil servant; Dominikus Sorabut, a filmmaker; Edison Waromi, a former political prisoner; and Forkorus Yaboisembut, a Papuan tribal leader—and sentenced them to three years in prison for statements made **at a Papuan People’s Congress** in October 2011. The security forces had brutally attacked the congress, leaving at least three people dead.

In May, more than a dozen UN member countries raised questions and made **recommendations during Indonesia’s UPR in Geneva** about human rights problems in Papua including impunity for abuses by security forces, restrictions on the rights to freedom of expression, and excessive restrictions and surveillance of foreign journalists and human rights researchers. In September, Indonesia rejected all the Papua-related UPR recommendations. The government instead denied that Indonesia has political prisoners **and asserted that there is no impunity in Papua and that “national journalists” could travel freely in the region.**

From May to August there was a marked upsurge in violence as Indonesian security forces apparently sought to crackdown on Papuan activists. Forty-seven reported violent incidents in this period left 18 dead, including one Indonesian security officer, and dozens of wounded, including a German tourist.

On June 14, police shot and killed KNPB deputy chairman Mako Tabuni, triggering riots in the Jayapura neighborhood of Wamena, over perceptions that Tabuni was the victim of an extrajudicial execution. Papua police suspected Tabuni of involvement in numerous shootings.

Aceh

In June, former Aceh guerilla leaders Zaini Abdullah and Muzakir Manaf took the offices of **Aceh's governor and deputy governor respectively after winning an April 9 election.**

In May, the Singkil regency closed down 19 churches and one house of worship belonging to followers of Pambi, a native faith among the Pakpak Dairi ethnic group, after protests from the militant Islamic Defenders Front who asserted the structures were **"illegal."** Governor Zaini refused to intervene in the dispute, blaming religious tension on unnamed **"outsiders."**

Aceh's provincial government continued to implement a repressive Sharia-inspired dress code and law on "seclusion," banning association between unmarried men and women in **"isolated" places. The provisions are enforced primarily through a Sharia police force that** harasses, intimidates, and arbitrarily arrests and detains women and men.

In September, a 16-year-old teenage girl arrested by the Sharia police in Langsa regency **committed suicide after two daily newspapers reported that she was a "prostitute."** In her suicide note, she denied the allegation and said she could not bear the shame.

Migrant Workers

More than four million Indonesian women work abroad in Malaysia, Singapore, and the Middle East as live-in domestic workers. These women often encounter a range of abuses, including labor exploitation, psychological, physical, and sexual abuse, and situations of forced labor and slavery-like conditions. The Indonesian government has become an increasingly vocal advocate for its workers abroad, successfully negotiating the pardon of **22 Indonesian women on Saudi Arabia's death row, calling for improved labor protections,** and ratifying the Migrant Workers Convention.

However, Indonesia has consistently failed to rein in abusive recruitment agencies that send workers abroad. Many agencies charge workers high fees that leave them heavily indebted and give them deceptive or incomplete information about their work conditions. Revisions to its migration law remain pending.

Within Indonesia, an important draft law extending key protections to domestic workers **has languished in parliament. The country's labor law excludes all domestic workers from** the basic labor rights afforded to formal workers, such as a minimum wage, overtime pay, limits to hours of work, a weekly rest day, and vacation. Hundreds of thousands of girls, some as young as 11, are employed as domestic workers. Many work 14 to 18-hour days, seven days a week, with no day off. Many employers forbid child domestic workers from leaving the house where they work and pay little or none of their salaries. In the worst cases, girls are physically, psychologically, and sexually abused by their employers or their **employers' family members.**

Refugees and Asylum Seekers

Indonesia detains and mistreats thousands of asylum seekers, including children, from Sri Lanka, Afghanistan, Burma, and elsewhere. Asylum seekers face detention, abuses in custody, limited access to education, and have little or no basic assistance. In February 2012, an Afghan asylum seeker died from injuries allegedly inflicted by guards at the Pontianak Immigration Detention Center. There are at least 1,000 unaccompanied migrant children in Indonesia, approximately 200 of whom remain in detention with unrelated adults. Indonesia is not party to the 1951 Refugee Convention, and does not provide most migrants opportunities to obtain legal status, such as to seek asylum. Many migrants consider traveling on to Australia on boats arranged by smugglers a viable option, despite the risks of drowning in the dangerous sea crossing.

Key International Actors

In April 2012, British Prime Minister David Cameron visited Jakarta. Cameron applauded **Indonesia's political progress**, but challenged the government to stand up against **"despicable violence and persecution" of religious minorities.**

Much of US policy towards Indonesia has focused on cementing military ties, including with Indonesian special forces, which have long been implicated in serious abuses. In September, the US announced the sale of eight Apache attack helicopters to Indonesia.

In November, United Nations High Commissioner for Human Rights Navi Pillay visited Jakarta and asked the Indonesian **government to address “increasing levels of violence and hatred towards religious minorities and narrow and extremist-interpretations of Islam.”**